

C. REMARKS

This Reply is in response to the Office Action mailed on July 24, 2003 in which claims 1-7 and 9-35 were rejected. With this Reply, claims 1-3, 14-17, 26 and 27 are amended. Claims 1-7 and 9-35 are presented by the Applicants for reconsideration and allowance.

1. REJECTION OF CLAIMS 1, 4-7, 9-15 and 18-25 UNDER 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER HUGGINS ET AL. IN VIEW OF ROHRER

Section 1 of the Office Action, claims 1, 4-7, 9-15 and 18-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Huggins et al. (U.S. Patent No. 4,156,526) in view of Rohrer (U.S. Pat. No. 6,431,997). Claims 1 and 15 are independent claims, and claims 4-7 and 9-14, and claims 18-24 depend from independent claims 1 and 15, respectively. Independent claims 1 and 15 are amended to more clearly set forth the invention and are now believed to be patentably distinguishable over the cited prior art. Claims 14 and 26 are also amended.

a. Claims 1, 4-7 and 9-14:

Independent claim 1, as amended, recites a putter head including a toe portion, a heel portion, a generally vertically extending wall, a sole portion, and a single, one-piece insert. The wall has a front strike face, a rear portion, an upper layer, and a lower layer. The upper layer, the lower layer and the rear portion each extend from the heel portion to the toe portion to define a recess that rearwardly extends into the wall from the strike face. The rear portion of the wall is formed with variable thickness thereby providing the recess with a variable rearward depth. The sole portion rearwardly extends from a lower region of the wall and has a rearmost surface. The insert substantially fills the recess and is connected to the wall. The

insert has a front facing surface, a top surface, a bottom surface and a rear surface. Generally the entire surface area of the front facing surface of the insert is exposed. The top and bottom surfaces are substantially covered by the wall, and the front facing surface of the insert is substantially coplanar with the front strike face. The insert includes a center portion having a first rearward depth. The putter head has a second rearward depth measured from the front strike face of the front wall to the rearmost surface of the sole portion. The first depth is less than fifty percent of the second depth.

Neither Huggins et al. nor Rohrer, alone or in combination, disclose, teach or suggest the putter head of claim 1, as amended. In particular, neither Huggins et al. nor Rohrer, alone or in combination, disclose, teach or suggest a putter head including a generally vertically extending front wall having a recess, a sole portion having a rearmost surface, and a single, one-piece insert substantially filling the recess and having variable rearward depth and a center portion of a first rearward depth, wherein the putter head has a second rearward depth measured from a front strike face of the front wall to the rearmost surface of the sole portion, and the first depth is less than fifty percent of the second depth..

In contrast, Huggins et al. discloses a golf club putter having a head defined by a pair of spaced side walls, a pair of end walls and a back wall. The side, end and back walls define a cavity, which is filled by a block of resilient material. The block of resilient material has a substantially uniform rearward depth and the rearward depth of the block is greater than eight percent of the rearward depth of the head of the putter. Further, a sizable portion of an upper surface of the block is uncovered by the upper side wall. The block of Huggins et al. extends rearwardly and uniformly into the head such that the uniform rearward depth of the block is at least eighty percent of the rearward depth of the head of the putter itself. Thus, Huggins et al. does not teach, suggest or disclose a recess having a variable rearward depth formed into a putter head

and a one-piece insert filling the recess wherein a central portion of the insert has a first rearward depth, and the putter head has a second rearward depth, and the first rearward depth is less than fifty percent of the second rearward depth.

Rohrer discloses several embodiments of club heads intended to be configured to correct distance loss due to mishits. None of the embodiments disclosed or taught by Rohrer teach, suggest or disclose the combination of elements and limitations of claim 1, as amended. Most of the embodiments disclosed by Rohrer, including the embodiments of FIGS. 5-8 and 11-15, include a plurality of inserts connected to the clubhead body, and not a single, one-piece insert. The remaining embodiments, including the embodiments of FIGS. 9A, 9B, 10A, and 10B, do not include an insert having a front facing surface, wherein generally the entire surface area of the front facing surface is exposed. Further, the remaining embodiments do not include an insert having a front facing surface that is substantially coplanar with the strike face. None of the embodiments of Rohrer disclose a single insert substantially filling a recess of variable rearward depth formed into the putter head wherein the recess includes a central portion having a first rearward depth and the putter head has a second rearward depth with the first depth being less than fifty percent of the second depth. All of Rohrer's embodiments show multiple piece inserts, inserts that do not substantially fill the recess, and/or an insert with a rearward depth that is significantly greater than fifty percent of the rearward depth of the putter head. The embodiments of Rohrer also do not teach, suggest or disclose a one-piece insert filling a recess having a variable rearward depth formed into a putter head, wherein a central portion of the insert has a first rearward depth, and the putter head has a second rearward depth, and the first rearward depth is less than fifty percent of the second rearward depth.

None of the teachings or the disclosures of Huggins et al. or Rohrer, alone or in combination, disclose, teach or suggest the limitations of claim 1, as amended. Accordingly, it is respectfully submitted that claim 1, as amended,

overcomes the rejection based upon Rohrer and is believed to be in condition for allowance. Claims 4-7 and 9-14 depend from claim 1 and are believed to be patentable over Huggins et al. and Rohrer for at least the same reasons.

b. Claims 15 and 18-25:

Independent claim 15, as amended, recites a putter head including a generally vertically extending wall, a sole portion and only one insert. The generally vertically extending wall has a front strike face and a rear surface. The wall has an insert region at the strike face defining a rearwardly extending recess of varying rearward depth. The sole portion rearwardly extends from a lower region of the wall and has a rearmost surface. The insert is castably formed in the recess of the insert region. The insert has a front surface and a variable rearward depth to substantially fill the recess. The insert contacts the insert region of the wall. Substantially the entire surface area of the front surface of the insert is substantially coplanar with the front strike face. The insert includes a center portion having a first rearward depth. The putter head has a second rearward depth measured from the front strike face of the front wall to the rearmost surface of the sole portion. The first depth is less than fifty percent of the second depth.

Like the statements above relating to independent claim 1, neither Huggins et al. nor Rohrer, alone or in combination, disclose, teach or suggest the putter head of claim 15, as amended. In particular, neither Huggins et al. nor Rohrer, alone or in combination, disclose, teach or suggest a putter head including a generally vertically extending front wall having a recess, a sole portion having a rearmost surface, and only one insert substantially filling the recess and having variable rearward depth and a center portion of a first rearward depth, wherein the putter head has a second rearward depth measured from a front strike face of the front wall to the rearmost surface of the sole portion, and the first depth is less than fifty percent of the

second depth.. In contrast, Huggins et al. discloses a golf club putter having a cavity, which is filled by a block of resilient material. The block of resilient material has a substantially uniform rearward depth and the rearward depth of the block is greater than eight percent of the rearward depth of the head of the putter. The block of Huggins et al. extends rearwardly and uniformly into the head such that the uniform rearward depth of the block is at least eighty percent of the rearward depth of the head of the putter itself. Thus, Huggins et al. does not teach, suggest or disclose a recess having a variable rearward depth formed into a putter head and only one insert filling the recess wherein a central portion of the insert has a first rearward depth, and the putter head has a second rearward depth, and the first rearward depth is less than fifty percent of the second rearward depth.

Rohrer also does not disclose, teach or suggest the putter head of claim 15, as amended. In particular, none of the embodiments of Rohrer disclose, teach or suggest a single insert substantially filling a recess of variable rearward depth formed into the putter head wherein the recess includes a central portion having a first rearward depth and the putter head has a second rearward depth with the first depth being less than fifty percent of the second depth. Further, Rohrer also does not teach, suggest or disclose only one insert formed into a putter head wherein substantially the entire surface area of the front facing surface of the insert is substantially coplanar with the front strike face.

All of Rohrer's embodiments show multiple piece inserts, inserts that do not substantially fill the recess, and/or an insert with a rearward depth that is significantly greater than fifty percent of the rearward depth of the putter head. The embodiments of Rohrer also do not teach, suggest or disclose a one-piece insert filling a recess having a variable rearward depth formed into a putter head, wherein a central portion of the insert has a first rearward depth, and the putter head has a second

rearward depth, and the first rearward depth is less than fifty percent of the second rearward depth.

As such, neither Huggins et al. nor Rohrer, alone or in combination, teach, suggest or disclose the limitations of claim 15, as amended. Accordingly, it is respectfully submitted that claim 15, as amended, overcomes the rejection based upon Rohrer and is believed to be in condition for allowance. Claims 18-25 depend from claim 15 and are believed to be patentable over Huggins et al. and Rohrer for at least the same reasons.

**II. REJECTION OF CLAIMS 2 AND 16 UNDER 35 U.S.C. § 103(a)
AS BEING UNPATENTABLE OVER HUGGINS ET AL. IN VIEW OF
ROHRER AND FISHER**

Section 2 of the Office Action rejected claims 2 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Huggins et al. in view of Rohrer and Fisher (U.S. Pat. No. 6,270,422). Claims 2 and 16 are currently amended. Claim 2 depends from currently amended independent claim 1, and claim 16 depends from currently amended independent claim 15. It is respectfully submitted that claims 2 and 16 are patentable over Huggins et al., Rohrer and Fisher, alone or in combination, for at least the reasons stated above, with respect to independent claims 1 and 15. Fisher discloses golf putter with trailing weighting and aiming members including a sweet-spot indicating index line. Fisher does not disclose, teach or suggest an insert disposed in or attached to the front strike face of the putter head. Because claims 2 and 16 depend from claims 1 and 15, respectively, it is respectfully submitted that claims 2 and 16 are patentable over Huggins et al., Rohrer and Fisher for at least the same reasons.

**III. REJECTION OF CLAIMS 3, 17 AND 27-35 UNDER 35 U.S.C. § 103(a)
AS BEING UNPATENTABLE OVER HUGGINS ET AL. IN
VIEW OF ROHRER AND GRIM, JR.**

Section 3 of the Office Action rejected claims 3, 17 and 27-35 under 35 U.S.C. § 103(a) as being unpatentable over Huggins et al., in view of Rohrer and Grim, Jr. (U.S. Pat. No. 5,551,694). Claims 3 and 17 are currently amended. Claim 3 depends from currently amended independent claim 1, and claim 17 depends from currently amended independent claim 15. Claim 27 is currently amended to more clearly set forth the invention and are now believed to be patentably distinguishable over the cited prior art. Claims 28-35 depend from amended claim 27.

Grim, Jr. discloses a golf putter having a plurality of sound-generating tines formed into the club head. Grim, Jr. does not disclose an insert disposed in, or attached to, the front strike face of the club head.

It is respectfully submitted that claims 3 and 17 are patentable over the prior art as applied in claims 1 and 15, and Grim, Jr., for at least the reasons stated above, with respect to independent claims 1 and 15.

Claim 27, as amended, recites a putter head including a toe portion, a heel portion, a generally vertically extending wall, an insert and a sole portion. The wall extends from the toe portion to the heel portion and has a front strike face and a rear surface. The recess is defined into the strike face of the wall, and has a varying rearward depth. The insert is formed of a first material, which substantially fills the recess and connects to the wall. The sole portion rearwardly extends from a lower portion of the wall, and has a rearmost surface. The sole portion has only one elongate through-sole slot. The through-sole slot is disposed rearward of the insert and substantially parallel to the strike face. The insert includes a center portion having a first rearward depth. The putter head has a second rearward depth measured from the front strike face of the front wall to the rearmost surface of the sole portion. The first depth is less than fifty percent of the second depth.

It is respectfully submitted that none of the prior art, alone or in combination, as applied to claims 1 and 15, including Huggins et al., Rohrer, and Grim, Jr., teach, suggest or disclose the combination of elements and limitations of independent claim 27, as amended. In particular, Huggins et al., Rohrer nor Fisher do not teach, suggest or disclose a putter head including a generally vertically extending wall having a recess of varying rearward depth, and an insert formed of a first material and having a center portion of a first rearward depth, wherein only one elongate through-sole slot is disposed rearward of the insert and substantially parallel with the strike face and the first rearward depth is less than fifty percent of a second rearward depth of the putter head. In contrast, Grim, Jr. discloses a putter head having two or more tone-generating tines and no insert formed into a recess within the putter head.

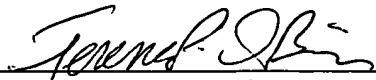
Accordingly, it is respectfully submitted that claim 27, as amended, overcomes the rejection based upon the prior art as applied to claims 1 and 15, including Huggins et al., Rohrer, in view of Grim, Jr., and is believed to be in condition for allowance. Claims 28-35 depend from claim 27 and are believed to be patentable over Huggins et al., Rohrer in view of Grim, Jr. for at least the same reasons.

IV. CONCLUSION

Applicant respectfully requests reconsideration of claims 1-7 and 9-35. Applicant believes that the present application is now in condition for allowance. Favorable reconsideration under 37 C.F.R. § 1.112 is respectfully requested. The Examiner is invited to telephone the undersigned at (847) 472-6104 to discuss any issues in this case in order to advance the prosecution thereof.

Respectfully submitted,

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